CPMG / KA / BG-GPO/13/2003-2005

ಸುವರ್ಣ ಕರ್ನಾಟಕ - 2006



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೦	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಆಗಸ್ಟ್ ೪, ೨೦೦೫ (ಶ್ರಾವಣ ೧೩, ಶಕ ವರ್ಷ ೧೯೨೭)	ಸಂಚಿಕೆ ೩೧

ಭಾಗ - ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 163 ಕೇನಿಪ್ರ 2005, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 30ನೇ ಜುಲೈ 2005

2005ನೇ ಸಾಲಿನ ಜೂನ್ 9ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR.387(E) [Notification.No.F.23/26/2004-R&R] ದಿನಾಂಕ: 9.6.2005 ರಲ್ಲಿ ಪ್ರಕಟವಾಗಿರುವ The Electricity (Procedure for previous Publication) Rules, 2005 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF POWER

NOTIFICATION

New Delhi, the 9th June, 2005

G.S.R. 387(E).- In exercise of powers conferred by sub-section (1) and clause (z) of sub-section (2) of Section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules shall be called the Electricity (Procedure for Previous Publication) Rules, 2005.

(2) These rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise, requires,-

(a) **"Act"** means the Electricity Act, 2003 (Act 36 of 2003);

(b) the words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Procedure of Previous Publication.- For the purpose of previous publication of regulations under sub-section (3) of Section 177, sub-section (3) of Section 178 and sub-section (3) of Section 181 of the Act, the following procedure shall apply:-

(1) the Authority or the Appropriate Commission shall, before making regulations, publish a draft of the regulations for the Information of persons likely to be affected thereby;

(2) the publication shall be made in such manner as the Authority or the Appropriate Commission deems to be sufficient;

(3) there shall be published with the draft regulations, a notice specifying a date on or after which the draft regulations will be taken into consideration;

(4) the Authority or the Appropriate Commission having powers to make regulations shall consider any objection or suggestion which may be received by the Authority or the Appropriate Commission from any person with respect to the draft before the date so specified.

4. The publication in the Official Gazette of the regulations made in exercise of a power to make regulations after previous publication shall be conclusive proof that the regulations have been duly made.

[F.No.23/26/2004-R&R]

AJAY SHANKAR, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ರಿಚಾರ್ಡ್ ಲೋಬೋ

PR-154

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 160 ಕೇನಿಪ್ರ 2005, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29ನೇ ಜುಲೈ 2005

2005ನೇ ಸಾಲಿನ ಮೇ 11ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O.664(E) [Notification.No.F.17-12/2004-S.D.IV] ದಿನಾಂಕ: 11.5.2005 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF AGRICULTURE

(Department of Agriculture and Co-operation)

NOTIFICATION

New Delhi, the 11th May, 2005

S.O.664(E).- In exercise of powers conferred by section 5 of the Seeds Act, 1966 (54 of 1966), the Central Government, after consultation with the Central Seed Committee, being of the opinion that it is necessary and expedient to regulate the quality of the seeds of the varieties specified in column (3) of the Table below of the kinds specified in corresponding entries in column (2) of the said Table, to be sold for the purpose of agriculture, hereby declares that the said varieties of seeds shall be the notified varieties for the whole of India, for the purpose of the said Act, for a period of fifteen years from the date of publication of this notification in the Official Gazette, namely:-

TABLE

Sl.No.	Kind	Variety	Sl.No.	Kind	Variety
1	Coriander	Rcr.436	9	Knol khol	Palam Tender Knob
2	Fennel	RF-101	10	Ridge gourd	Arka Sumeet (IIHR-7)
3	Pea	Vivek Matar-9	11	Tumba	Mansha Marudhava (RNT-59, GP-59)
4	Sweet Potato	Sree Arun			
5	Sweet Potato	Sree Varun	12	Tomato	TH-1
6	Cauliflower	Palam Vachitra	13	Onion	APRITA (RO-59)
7	Cauliflower	Palam Kanchan	14	Turmeric	Sona
8	Broccoli	Palam Haritica	15	Turmeric	Varna

[F.No.17-12/2004-SD.IV]

PREM NARAIN, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ರಿಚಾರ್ಡ್ ಲೋಬೋ

PR-156

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001
NOTIFICATION
ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 4 ಚುತಅ 2005, ದಿನಾಂಕ: 2ನೇ ಆಗಸ್ಟ್ 2005
Dated 25th July, 2005, 3 Sravana, 1927 (Saka)

No. 82/KT-LA (10/2004)/2005:- In Pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election commission of India hereby publishes the Judgement/Order of the High Court of Karnataka Bangalore dated: 27.1.2005 in Election Petition No. 10 of 2004.

IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 27th DAY OF JANUARY, 2005
BEFORE
THE HON'BLE MR. JUSTICE V.G. SABHAHIT
ELECTION PETITION NO.10/04

Between:

Smt. Pramila Nesargi,
W/o late Justice M.S. Nesargi,
Aged 66 years,
R/o 844-A, 100 feet Road,
Indiranagar, Bangalore-560 038. :PETITIONER
(By Smt. Geetha Menon, Adv.)

And

1. Sri S.M. Krishna, S/o late S.C. Mallaiah, Aged 72 years, R/o Somanahalli, Maddur Taluk, Mandya District.
2. Mukhya Mantri Chandru, S/o Narasimhiah, Aged 50 years, R/o No.11, 8th Main Road, 8th Cross, Malleswaram, Bangalore-560 003.
3. Ananth Nag, S/o Sadananda Nagara Katte, Aged 55 years, No.400, 4th Cross, 2nd Stage, 2nd Block, R.M.V. Extn., Bangalore-560 094.
4. T.P. Prasanna Kumar, S/o Srinivasamurthy Achar, Aged 60 years, r/o 14, 2nd Cross, 1st Main, 80 Feet Road, 6th Block, Koramangala, Bangalore-560 095.
5. Guenness Hotte Paksha Rangaswamy, S/o Gavirangappa, aged 70 years, No.32, Makkala Basavangudi Beedhi, Bangalore-560 002.
6. D. Mahadev, S/o K. Devaiah, Aged 30 years,r/o No.59/50, 5th Main Road, 8th Cross, Chamarajpet, Bangalore-560 018.
7. R. Murthy, S/o M.C. Ramaswamy, Aged 39 years, No.111/B, 6th Cross, 2nd Main, Vinayakanagar, Bangalore-560 030.
8. S. Naved Ahmed (Anu), S/o Sighed Azeem, aged 33 years, No.1, Susheela Road, Dodda Mavalli, Bangalore-560 004, :RESPONDENTS

(By M/s. Jayaram & Jayaram and
Sri D.N. Nanjunda Reddy, Adv. for R1;
Sri T.B. Kiran Kumar, Adv. for R3;
R4 and R6 are served and unrepresented;

This petition is filed under Sec.81 of the Representation of People's Act, 1951 by the Petitioner - candidate at 2004, general election to the Karnataka Legislative Assembly Constituency No.81,

Chamarajpet Assembly Constituency held on 13.5.2004 through her Advocate Ms. Geeta Menon praying to declare that the declaration of the result of 1st respondent to 81 Chamarajpet Assembly Constituency is null and void; declare that there has been an improper rejection of the nominations of the petitioner for the 81 Chamarajpet Assembly Constituency etc.

This petition coming on for orders this day, the Court made the following:

ORDER

This election petition has been filed under Sec.81 of the Representation of People's Act, 1951 to declare, that the declaration of the first respondent as the returned candidate to No.81 - Chamarajpet Assembly Constituency as null and void, that there has been improper rejection of nomination of the petitioner and improper acceptance of the nomination of the second respondent and the first respondent was on the date of election disqualified to be chosen to fill up the seat of 81 Chamarajpet Assembly Constituency and further to declare that there has been an improper acceptance of the nominations of the first respondent and the same is illegal and it has resulted in material irregularity affecting the result of the election in so far a the first respondent is concerned and order fresh election to 81 - Chamarajpet Assembly Constituency.

2. Notice was issued to the respondents.

Respondent Nos.1 and 3 have appeared through counsel. Steps have not been taken for service of notice to respondent No.7 and other respondent Nos.4 and 6 though seved, are not represented.

3. Respondent No.1 and 3 have not filed any objection statement to the petition. However, on 19.1.2005, the learned counsel appearing for the first respondent has filed a memo stating that the first respondent who was elected to the 12th Karnataka Legislative Assembly from No.81 - Chamarajpet Constituency tendered his resignation to the membership of the Legislative Assembly in view of his appointment as Governor of Maharashtra and the same has been accepted by the Hon'ble Speaker of the Karnataka Legislative Assembly on 4.12.2004. The Karnataka Legislative Assembly Secretariat in the Karnataka Gazette of the even date, has notified the acceptance of the resignation of the first respondent and as a consequence of his tendering resignation from the seat said seat in the Assembly has fallen vacant. The copy of the Gazette Notification dated 4.12.2004 has been produced. It is averred that in view of the appointment of the first respondent as Governor of Maharashtra, under Article 158(1) of the Constitution of India, the first respondent could not have continued as Member of the Legislative Assembly and his seat in the Karnataka Legislative Assembly is deemed to have become vacant and therefore, the resignation has been tendered to the membership of Legislative Assembly. In view of the above said subsequent fact and the event that has occurred, it is averred that the election petition does not survive for consideration and may be disposed of as having become infructuous in the interest of justice and equity.

4. No objections have been filed to the said memo and the averments made in the memo and also the contents of the Gazette Notification have not been challenged. Learned counsel appearing for the petitioner and the petitioner who is also present in person submit that they do not dispute the contents of the memo and the fact that in view of the appointment of the first respondent as the Governor of Maharashtra, he has tendered resignation to his post as the Member of the Legislative Assembly No.81-Chamarajpet Assembly Constituency and therefore, the said seat has become vacant.

5. In view of the subsequent event that has occurred, it is clear that the decision on the grounds upon which the election of the first respondent to the Legislative Assembly No.81 - Chamarajpet Assembly Constituency was held, the nomination of the petitioner was wrongly rejected, the nomination of the second as also the first respondent was wrongly accepted and therefore, fresh re-election is to be held to No.81 - Chamarajpet Assembly Constituency would not survive as the seat in No.81-Chamarajpet Assembly Constituency has become vacant and fresh by-election will be held in accordance with law and therefore, it is clear that this election petition does not survive for consideration and the same is not disputed by the learned counsel appearing for the petitioner and the petitioner who is also present in person.

Accordingly, the petition is disposed of as having become infructuous.

The security amount deposited shall be permitted to be withdrawn by the petitioner.

By Order,
TAPAS KUMAR
Secretary.

PR-159

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 162 ಕೇನಿಪ್ರ 2005, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 30ನೇ ಜುಲೈ 2005

2005ನೇ ಸಾಲಿನ ಜೂನ್ 8ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR.379(E) [Notification.No.F.23/54/2004-R&R] ದಿನಾಂಕ: 8.6.2005 ರಲ್ಲಿ ಪ್ರಕಟವಾಗಿರುವ The Electricity Rules, 2005 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF POWER

NOTIFICATION

New Delhi, the 8th June, 2005

G.S.R. 379(E).- In exercise of powers conferred by section 176 of the Electricity Act, 2003 (Act 36 of 2003), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.-

(1) These rules shall be called the Electricity Rules, 2005.

(2) These Rules shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-

In these rules, unless the context otherwise, requires:

(a) "Act" means the Electricity Act, 2003;

(b) the words and expressions used and not defined herein but defined in the Act shall have the meaning assigned to them in the Act.

3. Requirements of Captive Generating Plant.-

(1) No power plant shall qualify as a 'captive generating plant' under section 9 read with clause (8) of section 2 of the Act unless-

(a) in case of a power plant-

(i) not less than twenty six percent of the ownership is held by the captive user(s), and

(ii) not less than fifty one percent of the aggregate electricity generated in such plant, determined on an annual basis, is consumed for the captive use:

Provided that in case of power plant set up by registered cooperative society, the conditions mentioned under paragraphs at (i) and (ii) above shall be satisfied collectively by the members of the co-operative society:

Provided further that in case of association of persons, the captive user(s) shall hold not less than twenty six percent of the ownership of the plant in aggregate and such captive user(s) shall consume not less than fifty one percent of the electricity generated, determined on an annual basis, in proportion to their shares in ownership of the power plant within a variation not exceeding ten percent;

(b) in case of a generating station owned by a company formed as special purpose vehicle for such generating station, a unit or units of such generating station identified for captive use and not the entire generating station satisfy (s) the conditions contained in paragraphs (i) and (ii) of sub-clause (a) above including-

Explanation:-

(1) The electricity required to be consumed by captive users shall be determined with reference to such generating unit or units in aggregate identified for captive use and not with reference to generating station as a whole; and

(2) the equity shares to be held by the captive user(s) in the generating station shall not be less than twenty six per cent of the proportionate of the equity of the company related to the generating unit or units identified as the captive generating plant.

Illustration: In a generating station with two units of 50 MW each namely Units A and B, one unit of 50 MW namely Unit A may be identified as the Captive Generating Plant. The captive users shall hold not less than thirteen percent of the equity shares in the company (being the twenty six percent proportionate to Unit A of 50 MW) and not less than fifty one percent of the electricity generated in Unit A determined on an annual basis is to be consumed by the captive users.

(2) It shall be the obligation of the captive users to ensure that the consumption by the Captive Users at the percentages mentioned in sub-clauses (a) and (b) of sub-rule (1) above is maintained and in

case the minimum percentage of captive use is not complied with in any year, the entire electricity generated shall be treated as if it is a supply of electricity by a generating company.

Explanation.- (1) For the purpose of this rule.-

(a) **"Annual Basis"** shall be determined based on a financial year;

(b) **"Captive User"** shall mean the end user of the electricity generated in a Captive Generating Plant and the term **"Captive Use"** shall be construed accordingly;

(c) **"Ownership"** in relation to a generating station or power plant set up by a company or any other body corporate shall mean the equity share capital with voting rights. In other cases ownership shall mean proprietary interest and control over the generating station or power plant;

(d) **"Special Purpose Vehicle"** shall mean a legal entity owning, operating and maintaining a generating station and with no other business or activity to be engaged in by the legal entity.

4. Distribution System.- The distribution system of a distribution licensee in terms of sub-section (19) of section 2 of the Act shall also include electric line, sub-station and electrical plant that are primarily maintained for the purpose of distributing electricity in the area of supply of such distribution licensee notwithstanding that such line, sub-station or electrical plant are high pressure cables or overhead lines or associated with such high pressure cables or overhead lines; or used incidentally for the purposes of transmitting electricity for others.

5. Compliance with the directions by Transmission Licensee.- (1) The National Load Despatch Centre, Regional Load Despatch Centre, as the case may be, or the State Load Despatch Centre, may, under section 26, sub-section (3) of section 28, sub-section (1) of section 29, sub-section (2) of section 32 and sub-section (1) of section 33 read with clause (b) of section 40 of the Act, give such directions, as it may consider appropriate for maintaining the availability of the transmission system of a Transmission Licensee and the Transmission Licensee shall duly comply with all such directions.

(2) The Appropriate Commission, on an application filed by the National Load Despatch centre, the Regional Load Despatch Centre or the State Load Despatch Centre and after hearing the Transmission Licensee, if satisfied that the Transmission Licensee has persistently failed to maintain the availability of the transmission system, may issue such directions to the National Load Despatch Centre, the Regional Load Despatch Centre or the State Load Despatch Centre to take control of the operations of the transmission system of such Transmission Licensee for such period and on such terms, as the Commission may decide.

(3) The direction under sub-rules (1) and (2) above shall be without prejudice to any other action which may be taken against the Transmission Licensee under other provisions of the Act.

6. The surcharge under section 38.- The surcharge on transmission charges under section 38, the manner of progressive reduction of such surcharge and the manner of payment and utilization of such surcharge to be specified by the Central Commission under sub-clause (ii) of clause (d) of sub-section (2) of section 38 shall be in accordance with surcharge on the charges for wheeling, the manner of progressive reduction of such surcharge and the manner of payment and utilization of such surcharge as may be specified by the Appropriate Commission of the State in which the consumer is located under sub-section (2) of section 42 of the Act.

7. Consumer Redressal Forum and Ombudsman.- (1) The distribution licensee shall establish a forum for redressal of grievances of consumers under sub-section (5) of section 42 which shall consist of officiers of the licensee.

(2) The Ombudsman to be appointed or designated by the State Commission under sub-section (6) of section 42 of the Act shall be such person as the State Commission may decide from time to time.

(3) The Ombudsman shall consider the representations of the consumers consistent with the provisions of the Act, the Rules and Regulations made hereunder or general orders or directions given by the Appropriate Government or the Appropriate Commission in this regard before setting their grievances.

(4) (a) The Ombudsman shall prepare a report on a six monthly basis giving details of the nature of the grievances of the consumer dealt by the ombudsman, the response of the licensees in the redressal of the grievances and the opinion of the ombudsman on the Licensee's compliance of the standards of performance as specified by the Commission under section 57 of the Act during the preceding six months.

(b) The report under sub-clause (a) above shall be forwarded to the State Commission and the State Government within 45 days after the end of the relevant period of six months.

8. Tariffs of generating companies under section 79.- The tariff determined by the Central Commission for generating companies under clause (a) or (b) of sub-section (1) of section 79 of the Act shall not be subject to re-determination by the State Commission in exercise of functions under clauses (a) or (b) of sub-section (1) of section 86 of the Act and subject to the above the State Commission may determine whether a Distribution Licensee in the State should enter into Power Purchase Agreement or procurement process with such generating companies based on the tariff determined by the Central commission.

9. Inter-State trading Licence.- A licence issued by the Central Commission under section 14 read with clause (e) of sub-section (1) of section 79 of the Act to an electricity trader for Inter-State Operations shall also entitle such electricity trader to undertake purchase of electricity from a seller in a State and resell such electricity to a buyer in the same State, without the need to take a separate licence for intra-state trading from the State Commission of such State.

10. Appeal to the Appellate Tribunal.- In terms of sub-section (2) of section 111 of the Act, the appeal against the orders passed by the adjudicating officer or the appropriate commission after the coming into force of the Act may be filed within fortyfive days from the date, as notified by the Central Government, on which the Appellate Tribunal comes into operation.

11. Jurisdiction of the courts.- The Jurisdiction of courts other than the special courts shall not be barred under sub-section (1) of section 154 till such time the special court is constituted under sub-section (1) of section 153 of the Act.

12. Cognizance of the offence.- (1) The police shall take cognizance of the offence punishable under the Act on a complaint in writing made to the police by the Appropriate Government or the Appropriate Commission or any of their officer authorized by them in this regard or a Chief Electrical Inspector or an Electrical Inspector or an authorized officer of Licensee or a Generating Company, as the case may be.

(2) The police shall investigate the complaint in accordance with the general law applicable to the investigation of any complaint. For the purposes of investigation of the complaint the police shall have all the powers as available under the Code of Criminal Procedure, 1973.

(3) The police shall, after investigation, forward the report along with the complaint filed under sub-clause (1) to the Court for trial under the Act.

(4) Notwithstanding anything contained in sub-clauses (1), (2) and (3) above, the complaint for taking cognizance of an offence punishable under the Act may also be filed by the Appropriate Government or the Appropriate Commission or any of their officer authorized by them or a Chief Electrical Inspector or an Electrical Inspector or an authorized officer of Licensee or a Generating Company, as the case may be directly in the appropriate Court.

(5) Notwithstanding anything contained in the Code of Criminal Procedure 1973, every special court may take cognizance of an offence referred to in sections 135 to 139 of the Act without the accused being committed to it for trial.

(6) The cognizance of the offence under the Act shall not in any way prejudice the actions under the provisions of the Indian Penal Code.

13. Issue of Orders and Practice Directions.- The Central Government may from time to time issue Orders and practice directions in regard to the implementation of these rules and matters incidental or ancillary thereto as the Central Government may consider appropriate.

[F.No.23/54/2004-R & R]
AJAY SHANKAR, Addl. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೋ
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 157 ಕೇನಿಪ್ರ 2005, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29ನೇ ಜುಲೈ 2005

2005ನೇ ಸಾಲಿನ ಮೇ 17ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O.672(E) [Notification.No.F.14017/9/2004-NI-III] ದಿನಾಂಕ: 17.5.2005 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 17th May, 2005

S.O.672(E).- Whereas the Deendar Anjuman is having links in Pakistan, and is indulging in activities which are prejudicial to the security of the country, having the potential to disturb peace and communal harmony and to disrupt the secular fabric of the country;

And whereas, the Central Government is of the opinion that:-

(i) during May to July, 2000, the Deendar Anjuman engineered bomb explosions in Church premises and other places in the States of Andhra Pradesh, Karnataka and Goa;

(ii) the said organisation was engaged in distribution of objectionable anti-Christian literature and pamphlets, and in espionage activities;

(iii) the said organisation has links at Mardan in Pakistan and has been organising bands of disgruntled Muslim youths in India into a militant outfit for launching Jehad with the avowed objective of total Islamisation of the sub-continent;

(iv) the said organisation planned to create disturbances, particularly by promoting hatred and creating suspicion and ill-will among the Christians and Hindus as well as among other communities;

(v) the said organisation had directed its activists to attack Christian institutions with the objective of embrassing the Government, particularly in the international community and weakening it internally; and

(vi) the said organisation had plans to target major infrastructural installation including railways, telecom network, electricity grids, oil refineries and defence installations;

And whereas, the Central Government is also of the opinion that the activists of Deendar Anjuman are still indulging themselves in the communal and anti-national activities for the reasons that the organisation was banned earlier. The Central Government is also of the opinion that the activities of Deendar Anjuman are detrimental to the peace, communal harmony, internal security and maintenance of secular fabric of the Indian Society, and that it is an unlawful association;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby declares the Deendar Anjuman to be an unlawful association;

And whereas, the Central Government is further of the opinion that if the unlawful activities of the Deendar Anjuman are not curbed and controlled immediately, it will take the opportunity to-

(i) create tension among the Christians and other communities with a view to disrupting the social fabric and tarnish the secular credentials of the country;

(ii) re-organise itself and indulge in sabotage of vital installations;

And whereas, the Central Government is also of the opinion that having regard to the activities of the Deendar Anjuman as mentioned above, it is necessary to declare it as an unlawful association with immediate effect, and accordingly, in exercise of the powers conferred by the proviso to Sub-section (3) of Section 3 of the said Act, the Central Government hereby directs that this notification shall, subject to any order that may be made under Section 4 of the Act, have effect from the date of its publication in the Official Gazette.

[F.No.14017/9/2004-NI-III]

A.K. JAIN, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ರಿಚಾರ್ಡ್ ಲೋಬೋ

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

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